



Christine
Maloney/NY/MLBLaw
10/19/2007 02:28 PM

To ORDERS_AND_JUDGMENTS@NYSD.USCOURTS.GOV

cc Lisa M. Campisi/NY/MLBLaw@MorganLewis

bcc

Subject Activity in Case 1:07-cv-08065-LTS E* Trade Savings Bank et al v. National Settlement Agency, Inc. et al ORDER SETTING FORTH A PROCEDURE FOR THE COORDINATION OF PRE-TRIAL PROCEEDINGS



- Coordination Proposal.pdf

Filed By:

Lisa M. Campisi
Morgan, Lewis & Bockius LLP
101 Park Avenue
New York, New York 10178
Telephone: 212-309-6178 (direct)
Fax Number: 877-432-9652
Email: lcampisi@morganlewis.com
www.morganlewis.com

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

INDYMAC BANK, F.S.B., Case No.: 07 cv 6865 (LTS)

Plaintiff,

– against –

Case No.: 07 cv 6865 (LTS)

NATIONAL SETTLEMENT AGENCY, INC.;
STEVEN M. LEFF; RACHEL M. LEFF; RICHARD A. LEFF; JOHN DOES 1-100.

Defendants.

ABN AMRO MORTGAGE GROUP, INC.,

Plaintiff,

— against —

Case No.: 07 cv 7657 (LTS)

NATIONAL SETTLEMENT AGENCY, INC.;
STEVEN M. LEFF; RACHEL M. LEFF; and
RICHARD A. LEFF

Defendants.

E* TRADE SAVINGS BANK and E* TRADE MORTGAGE CORP.,

Plaintiffs,

— against —

Case No.: 07 cv 8065 (LTS)

NATIONAL SETTLEMENT AGENCY, INC.; FAST :
TRACK TITLE AGENCY LLC, STEVEN M. LEFF; :
RACHEL M. LEFF; RICHARD A. LEFF, :
Defendants. :
:

Defendants.

LYDIAN PRIVATE BANK d/b/a VIRTUAL BANK,
Plaintiff,

— against —

Case No.: 07 cv 8173 (LTS)

STEVEN M. LEFF; RICHARD A. LEFF; RACHEL M. LEFF; NATIONAL SETTLEMENT AGENCY, INC.

Defendants

ORDER SETTING FORTH A PROCEDURE
FOR THE COORDINATION OF PRE-TRIAL PROCEEDINGS

WHEREFORE:

1. On September 21, 2007, the Honorable Laura Taylor Swain issued an Order Designating Relatedness and Setting Forth a Pre-Trial Coordination Schedule;
2. On October 11, 2007, counsel for plaintiffs and counsel for defendants Steven Leff and Richard Leff met and conferred in accordance with the above Order.

NOW THEREFORE the counsel in the above captioned actions agree as follows:

3. Counsel and *pro se* parties in each individual action shall establish, among themselves, separate pre-trial schedules, as may be ordered by the court, and shall not be bound by the pre-trial schedules entered into in the other actions;
4. All counsel and *pro se* parties in all actions shall make good faith efforts to confer with each other when noticing depositions in each individual action so as to avoid, to the extent possible, multiple depositions of the same party or third-party;
5. All counsel and *pro se* parties in all actions shall be entitled to attend and cross-examine at the deposition of any party or third-party in any of the actions, without prejudice to the right to re-notice that party or third-party for deposition, upon good cause shown;
6. All discovery material (including but not limited to subpoenas, interrogatories, document demands, requests for admission, responses thereto, and documents responsive thereto) served in one action shall be served upon all counsel and *pro se* parties in the other actions (by e-mail, U.S. mail, or overnight delivery);
7. Any *ex parte* applications for relief made by any plaintiff shall be served upon all other plaintiffs and any *ex parte* applications for relief made by any defendant shall be served upon all other defendants;

8. If additional cases, deemed related, are filed after the date of this order, counsel to this stipulation shall make good faith efforts to communicate with the parties to the new action in order to apprise them of what has occurred in these four related actions and to obtain their consent to this coordination order;

9. After making good faith efforts, counsel have been unable to agree upon what facts are and are not in dispute among plaintiffs, defendants, and between plaintiffs and defendants. This shall not preclude the parties in each individual action from stipulating to agreed facts among themselves.

10. This stipulation may be signed in any number of counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute a single stipulation. Facsimile signatures shall be deemed originals.

Dated: New York, New York
October 19, 2007

FELDMAN WEINSTEIN & SMITH LLP
Attorneys to Plaintiff IndyMac Bank
07 cv 6865 (LTS)

By: 

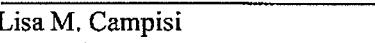
Eric Weinstein (EW 5423)
David J. Galalis (DG 1654)
Yong Hak Kim (of counsel)
420 Lexington Avenue, Ste. 2620
New York, NY 10170
(212) 869-7000

CAHILL GORDON & REINDEL LLP
Attorneys to Plaintiff ABN Amro
07 cv 7657 (LTS)

By: 

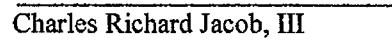
Thomas J. Kayner
80 Pine Street
New York, NY 10005
(212) 701-3406

MORGAN, LEWIS & BOCKIUS LLP
Attorneys to Plaintiff E* Trade
07 cv 8065

By: 

Lisa M. Campisi
101 Park Avenue
New York, NY 10178
(212) 309-6178

MILLER & WRUBEL, P.C.
Atts to Plaintiff Lydian Private Bank
07 cv 8173

By: 

Charles Richard Jacob, III
250 Park Avenue
New York, NY 10177
(212) 336-3500

8. If additional cases, deemed related, are filed after the date of this order, counsel to this stipulation shall make good faith efforts to communicate with the parties to the new action in order to apprise them of what has occurred in these four related actions and to obtain their consent to this coordination order;

9. After making good faith efforts, counsel have been unable to agree upon what facts are and are not in dispute among plaintiffs, defendants, and between plaintiffs and defendants. This shall not preclude the parties in each individual action from stipulating to agreed facts among themselves.

10. This stipulation may be signed in any number of counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute a single stipulation. Facsimile signatures shall be deemed originals.

Dated: New York, New York
October 19, 2007

FELDMAN WEINSTEIN & SMITH LLP
Attorneys to Plaintiff IndyMac Bank
07 cv 6865 (LTS)

By: _____
Eric Weinstein (EW 5423)
David J. Galalis (DG 1654)
Yong Hak Kim (of counsel)
420 Lexington Avenue, Ste. 2620
New York, NY 10170
(212) 869-7000

MORGAN, LEWIS & BOCKIUS LLP
Attorneys to Plaintiff E* Trade
07 cv 8065

By: _____
Lisa M. Campisi
101 Park Avenue
New York, NY 10178
(212) 309-6178

CAHILL GORDON & REINDEL LLP
Attorneys to Plaintiff ABN Amro
07 cv 7657 (LTS)

By: _____
Thomas J. Kavaler
80 Pine Street
New York, NY 10005
(212) 701-3406

MILLER & WRUBEL, P.C.
Attns to Plaintiff Lydian Private Bank
07 cv 8173

By: _____
Charles Richard Jacob, III
250 Park Avenue
New York, NY 10177
(212) 336-3500

8. If additional cases, deemed related, are filed after the date of this order, counsel to this stipulation shall make good faith efforts to communicate with the parties to the new action in order to apprise them of what has occurred in these four related actions and to obtain their consent to this coordination order;

9. After making good faith efforts, counsel have been unable to agree upon what facts are and are not in dispute among plaintiffs, defendants, and between plaintiffs and defendants. This shall not preclude the parties in each individual action from stipulating to agreed facts among themselves.

10. This stipulation may be signed in any number of counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute a single stipulation. Facsimile signatures shall be deemed originals.

Dated: New York, New York
October 19, 2007

FELDMAN WEINSTEIN & SMITH LLP
Attorneys to Plaintiff IndyMac Bank
07 cv 6865 (LTS)

By: _____
Eric Weinstein (EW 5423)
David J. Galalis (DG 1654)
Yong Hak Kim (of counsel)
420 Lexington Avenue, Ste. 2620
New York, NY 10170
(212) 869-7000

MORGAN, LEWIS & BOCKIUS LLP
Attorneys to Plaintiff E* Trade
07 cv 8065

By: _____
Lisa M. Campisi
101 Park Avenue
New York, NY 10178
(212) 309-6178

CAHILL GORDON & REINDEL LLP
Attorneys to Plaintiff ABN Amro
07 cv 7657 (LTS)

By: _____
Thomas J. Kavaler
80 Pine Street
New York, NY 10005
(212) 701-3406

MILLER & WRUBEL, P.C.
Atts to Plaintiff Lydian Private Bank
07 cv 8173

By: Charles Richard Jacob, III
Charles Richard Jacob, III
250 Park Avenue
New York, NY 10177
(212) 336-3500

LAW OFFICE OF MICHAEL SOSHNICK
Attorneys to Defendant Steven M. Leff
All Actions

By:


Michael L. Soshnick
190 Willis Avenue, Ste 112
Mineola, NY 11501
(516) 294-1111

LAW OFFICE OF LAWRENCE MORRISON
Attorneys to Defendant Rachel M. Leff
All Actions

By:

Larry Morrison
220 East 72nd Street, 25th Fl.
New York, NY 10021
(212) 861-1224

KAUFMAN BORGEEST & RYAN LLP
Attorneys to Richard A. Leff
All Actions

By:

Jonathan B. Bruno
Michael Neri
99 Park Avenue, 19th Floor
New York, NY 10016
(212) 980-9600

SO ORDERED:

Laura Taylor Swain
United States District Judge

DATED:

LAW OFFICE OF MICHAEL SOSHnick
Attorneys to Defendant Steven M. Leff
All Actions

By:

Michael L. Soshnick
190 Willis Avenue, Ste 112
Mineola, NY 11501
(516) 294-1111

LAW OFFICE OF LAWRENCE MORRISON
Attorneys to Defendant Rachel M. Leff
All Actions

By:

Larry Morrison
220 East 72nd Street, 25th Fl.
New York, NY 10021
(212) 861-1224

KAUFMAN BORGEEST & RYAN LLP
Attorneys to Richard A. Leff
All Actions

By:

Jonathan B. Bruno
Michael Neri
99 Park Avenue, 19th Floor
New York, NY 10016
(212) 980-9600

SO ORDERED:

Laura Taylor Swain
United States District Judge

DATED:

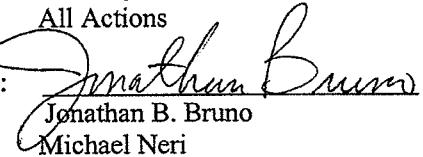
LAW OFFICE OF MICHAEL SOSHНИCK
Attorneys to Defendant Steven M. Leff
All Actions

By: _____
Michael L. Soshnick
190 Willis Avenue, Ste 112
Mineola, NY 11501
(516) 294-1111

LAW OFFICE OF LAWRENCE MORRISON
Attorneys to Defendant Rachel M. Leff
All Actions

By: _____
Larry Morrison
220 East 72nd Street, 25th Fl.
New York, NY 10021
(212) 861-1224

KAUFMAN BORGEEST & RYAN LLP
Attorneys to Richard A. Leff
All Actions

By: 
Jonathan B. Bruno
Michael Neri
99 Park Avenue, 19th Floor
New York, NY 10016
(212) 980-9600

SO ORDERED:

Laura Taylor Swain
United States District Judge

DATED: